



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10  
1200 Sixth Avenue  
Seattle, WA 98101

DEC 3 2001

Reply To  
Attn Of:

C. Steven Allred  
Director  
State of Idaho  
Department of Environmental Quality  
1410 North Hilton  
Boise, Idaho 83706-1255

Mark Frei  
Acting Manager  
Idaho Operations Office  
U.S. Department of Energy  
850 Energy Drive  
Idaho Falls, Idaho 83401-1563

Jessie H. Roberson  
Office of Assistant Secretary for Energy  
U.S. Department of Energy  
MS: EM-1, Room 5A-014  
Building: FORS  
1000 Independence Avenue, SW  
Washington, DC 20585

Re: Pit 9 Dispute Resolution, INEEL

Dear Messers Allred and Frei and Ms. Roberson,

I am pleased that we had the opportunity to speak with each other by teleconference last Friday regarding resolution of the Pit 9 dispute. I am writing to confirm EPA's understanding of some of the major points we discussed.

First, EPA looks forward to receiving DOE's proposal regarding quarterly briefings with EPA and IDEQ to discuss funding issues related to Pit 9. Please feel free to have your staff contact EPA's Project Manager, Wayne Pierre, at (206) 553-7261 to address the substantive issues that EPA would like to have included in senior management briefings.

Second, EPA understands that although the recent dispute resolution extension generally maintains dispute discussions at the current management level, DOE will be forwarding the State's penalty proposal to the Secretary of Energy for consideration.

2

EPA encourages the State and DOE to continue such discussions in order to reach agreement regarding both the penalty amount and the penalty mechanism, i.e., stipulated penalties and/or trust fund.

I hope that all parties will make productive use of the two-week period allotted for the current extension. Please do not hesitate to call me or have your staff contact Ann Williamson at (206) 553-2739 to discuss the specific details regarding resolution of this matter.

Sincerely,



J. John Tan

Regional Administrator